

Patent
Serial No. 10/579,158
Appeal Brief in Reply to the Final Office Action of June 15, 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of

Atty. Docket

WALTER DEES

US 030450

Confirmation No. 7058

Serial No. 10/579,158

Group Art Unit: 2175

Filed: MAY 12, 2006

Examiner: ZAHR, A.A.

Title: CONSISTENT USER INTERFACE FRONT END FOR REMOTE USER
INTERFACES

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Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Sir:

Appellant herewith respectfully presents a Brief on Appeal as follows, having filed a Notice of Appeal on September 10, 2009:

REAL PARTY IN INTEREST

The real party in interest in this appeal is the assignee of record Koninklijke Philips Electronics N.V., a corporation of The Netherlands having an office and a place of business at Groenewoudseweg 1, Eindhoven, Netherlands 5621 BA.

RELATED APPEALS AND INTERFERENCES

Appellant and the undersigned attorney are not aware of any other appeals or interferences which will directly affect or be directly affected by or having a bearing on the Board's decision in the pending appeal.

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STATUS OF CLAIMS

Claims 1-31 are pending in this application. Claims 1-31 are rejected in the Final Office Action mailed on June 15, 2009. Claims 1-31 are the subject of this appeal.

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STATUS OF AMENDMENTS

Appellant did not file a Response to a Final Office Action mailed June 15, 2009. This Appeal Brief is in response to the Final Office Action mailed June 15, 2009, that finally rejected claims 1-31.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The present invention, for example, as recited in independent claim 1, shown in FIGs 1-3, and described on page 6, lines 1-24 of the specification, is directed to a method for a consistent user interface (CUI) on a control device 200, shown in FIG 2, providing access to at least one network device 101 having a remote user interface (RUI), comprising providing the CUI to the control device. As described on page 6, line 25 to page 8, line 29, the method further includes and mapping the RUI to the CUI by the control device by replacing the RUI with a synonym that matches the RUI, the synonym being included in a synonym database; and displaying by the control device at least a part of the CUI that includes the synonym instead of the RUI as a user interface to the network device, where the CUI is more consistent with user interfaces of further network devices so that the control device presents a user the user interface that includes the CUI for controlling the network device and the further devices.

The present invention, for example, as recited in independent claim 22, shown in FIGs 1-3, and described on page 6, line 25 to page 8, line 29 of the specification, is directed to a control device 200 shown in FIG 2 that provides a consistent user interface (CUI) in a network of at least one slave device 101 having a remote user interface (RUI), comprising a transceiver 203 for receiving the RUI; an extraction logic module 102 configured to extract at least one component of the RUI; a database 104 that is configured to store synonyms of components of an RUI. As shown in FIGs 1-2 and described on page 8, lines 5-29, the control device 200 further includes an analysis and transformation module 103 configured to (i) map the extracted at least one component of the RUI to a component of the CUI according at least one of the synonyms stored in the database 104 and a thesauri by replacing the RUI with the at least one of the synonyms that matches the RUI, (ii) store the mapping in a memory 205, (iii) optionally update the database 104 with the mapping, and (iv) provide a user interface to the at least one slave device 101 according to at least a part of the mapping of the extracted at least one component of the RUI. The part of the CUI that includes the at least one of the synonyms is displayed by

the control device instead of the RUI as the user interface to the at least one slave device; and the CUI is more consistent with user interfaces of further slave devices 101.1, 101.2 so that the control device 200 presents a user the user interface that includes the CUI for controlling the at least one slave device 101 and the further slave devices 101.1, 101.2.

GROUNDΣ OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 1-31 of U.S. Patent Application Serial No. 10/579,158 are unpatentable under 35 U.S.C. §103(a) over U.S. Patent No. 7,027,881 (Yumato) in view of U.S. Patent Application Publication No. 2002/0154161 (Friedman).

It is believed that inadvertently only claims 2-17, 20 and 22-29 are rejected on page 3 of the Final Office Action as unpatentable under 35 U.S.C. §103(a) over Yumato in view of Friedman. However, the remaining pages of the Final Office Action further reject claims 1, 18-19 and 21. Accordingly, it is believed that the correct rejection is to claims 1-31, and will be treated as such herein.

ARGUMENT

Claims 1-31 are said to be unpatentable under 35 U.S.C. §103(a) over Yumato in view of Friedman.

Appellant respectfully requests the Board to address the patentability of independent claims 1 and 22, and further claims 2-21 and 23-31 as depending from claims 1 and 22, based on the requirements of independent claims 1 and 22. This position is provided for the specific and stated purpose of simplifying the current issues on appeal. However, Appellant herein specifically reserves the right to argue and address the patentability of claims 2-21 and 23-31 at a later date should the separately patentable subject matter of claims 2-21 and 23-31 later become an issue. Accordingly, this limitation of the subject matter presented for appeal herein, specifically limited to discussions of the patentability of claims 1 and 22 is not intended as a waiver of Appellant's right to argue the patentability of the further claims and claim elements at that later time.

Yumato is directed to a remote control system which is constructed from a simple device configuration. ABILITY information indicating the ability of an input operation function

of a control device is transmitted from the control device to the device to be controlled. The device to be controlled creates conversion-into-remote-controller data on the basis of this ability information and transmits the data to the control device. Then, the control device creates a GUI by using the received conversion-into-remote-controller data. As a result, the control device can function as a remote controller which remotely controls a specific device to be controlled. Thus, it is the device to be controlled that creates conversion-data based on the ability of the control device, and then the control device creates a GUI based on the conversion-data created by the device to be controlled. Further, as correctly noted on page 5, second full paragraph of the Final Office Action, Yumato is completely silent about any synonyms. Friedman is cited in an attempt to remedy the deficiencies in Yumato.

Friedman is directed to creating a universal console (UC) 200 platform for a UC device. As described in paragraph [0027], the UC 200 communicates with client devices 110a-110e via a network 14. Servers 10a-10b are also connected to the network 14, where one server 10b is connected to a database 20 that stores canonical user

interface descriptions.

Paragraph [0029], beginning on line 4 of Friedman,
specifically recites:

the user sets up or initializes the UC 200 by describing his or her preferences and disabilities. The UC 200 digests and stores this user information. Later, as the user encounters various devices or applications to be controlled, such as devices 110a, 110b, 110c, 110d, 110e, etc. and applications 135a, 135b, 135c, etc. of FIG. 1, and indicates a desire to control a particular device or application, the device or application to be controlled sends a canonical user interface (UI) description of its UI to the UC 200. The canonical UI description may also come from another source. The canonical UI description adheres to an abstract format to describe in high-level terms the functionality of the device's UI. (Emphasis added)

Paragraph [0030] of Friedman further specifically recites that:

From the canonical UI representation, the UC device 200 is capable of recognizing both the action-commands. (Emphasis added)

Thus, any universal remote control user interface in Friedman is created by the UC 200 using canonical UI representation received from the device to be controlled.

Assuming, arguendo, that the canonical UI representation are

analogous to synonyms, as alleged on page 3, lines 2-4 of the Final Office Action, then these so called synonyms from the device to be controlled or from another source are used by the UC 200, as described by Friedman.

In stark contrast, instead of using canonical UI representations or so called synonyms from the device to be controlled, the remote user interface (RUI) of the device to be controlled is replaced, as recited in independent claims 1 and 22.

In particular, it is respectfully submitted that Yumato, Friedman, and combination thereof, do not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 22 which, amongst other patentable elements, recites (illustrative emphasis provided):

mapping the RUI [of the at least one network device] to the CUI by the control device by replacing the RUI [of the at least one network device] with a synonym that matches the RUI, the synonym being included in a synonym database.

Friedman merely discloses a controller that uses canonical UI representations provided by the device to be controlled. Instead of using such representations provided by the device, the control device replaces the RUI of the at least one network device, or

device to be controlled, with a synonym. Paragraph [0031] of Friedman, referred to on page 3 of the Final Office Action, does not disclose replacing any RUI [of the at least one network device] with a synonym that matches the RUI. Rather, Paragraph [0031] of Friedman presents the user with an interface that adapts "to cognitive and learning disabilities" of the user. (Friedman, paragraph [0035], lines 2-3)

Assuming, arguendo, that Yumato and Friedman somehow disclose or suggest replacing the RUI of the at least one network device (to be controlled) with a synonym that matches the RUI, it is respectfully submitted that Yumato, Friedman, and combination thereof, still do not disclose or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 22 which, amongst other patentable elements, recites (illustrative emphasis provided):

displaying by the control device at least a part of the CUI that includes the synonym instead of the RUI as a user interface to the network device, wherein the CUI is more consistent with user interfaces of further network devices so that the control device presents a user the user interface that includes the CUI for controlling the network device and the further devices.

Instead of displaying the RUI of the network device, displaying a CUI that include the SAME synonym for controlling many devices, namely the network device and the further devices, wherein the CUI is more consistent with user interfaces of the further network devices, is nowhere disclosed or suggested in Yumato, Friedman, and combination thereof. Rather, different interfaces are presented to the user of the Friedman controller, based on the "cognitive and learning disabilities" of the user. (Friedman, paragraph [0035], line 3)

Accordingly, it is respectfully submitted that independent claims 1 and 22 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-21 and 23-31 should also be allowed at least based on their dependence from independent claims 1 and 22.

In addition, Appellant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, Appellant reserves the right to submit further arguments in support of the above stated position, should

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that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

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CONCLUSION

Claims 1-31 are patentable over Yumato and Friedman.

Thus, the Examiner's rejections of claims 1-31 should be reversed.

Respectfully submitted,

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CLAIMS APPENDIX

1. (Previously Presented) A method for a consistent user interface (CUI) on a control device providing access to at least one network device having a remote user interface (RUI), comprising the acts of:

providing the CUI to the control device;

mapping the RUI to the CUI by the control device by replacing the RUI with a synonym that matches the RUI, the synonym being included in a synonym database; and

displaying by the control device at least a part of the CUI that includes the synonym instead of the RUI as a user interface to the network device, wherein the CUI is more consistent with user interfaces of further network devices so that the control device presents a user the user interface that includes the CUI for controlling the network device and the further devices.

2. (Previously Presented) The method of claim 1, wherein:

the providing act further comprises the acts of:

receiving by the control device an RUI definition comprising at least one RUI component;

providing the CUI comprising at least one CUI component pre-set as the synonym for said at least one RUI component; and the mapping act further comprises the act of replacing the received at least one RUI component with said pre-set synonym CUI component by the control device whenever the control device displays a user interface to the network device.

3. (Previously Presented) The method of claim 2, further comprising the act of transmitting the RUI definition by the at least one network device.

4. (Previously Presented) The method of claim 3, wherein said transmitting act further comprises the act of on power-up, transmitting the RUI definition by the at least one network device.

5. (Previously Presented) The method of claim 3, wherein said transmitting act further comprises the act of transmitting the RUI definition using a network based on at least one of IP (RFC 791),

NETBEUI, Bluetooth, Zigbee, SCP, IEC61883, DVB and ATSC DTV.

6. (Previously Presented) The method of claim 5, wherein said transmitting act further comprises the act of transmitting the RUI definition using a protocol based on at least one of RDP, X-Windows, VNC, HTTP, HAVi DDI, and UI Fragments.

7. (Previously Presented) The method of claim 5, wherein said receiving act further comprises the act of using by the at least one network device for the RUI definition a UI description format based on at least one of HTML, XML, Macromedia, Flash and Java.

8. (Previously Presented) The method of claim 3, further comprising the act of sending the provided CUI to at least one of the at least one network device and a second control device.

9. (Previously Presented) The method of claim 7, further comprising the act of transmitting a RUI definition by at least a second network device to the control device using at least one of a different protocol selected from the set consisting of RDP, X-

Windows, VNC, HTTP, HAVi DDI, and UI Fragments and a different UI description format selected from the group consisting of HTML, XML, Macromedia, Flash and Java than the corresponding protocol and description format used by the at least one network device.

10. (Previously Presented) The method of claim 1, wherein:
the RUI and CUI comprise at least one RUI component and at least one CUI component, respectively; and
further comprising the acts of:
extracting said at least one RUI component by the control device;
determining by the control device if said at least one CUI component is the synonym for the extracted at least one RUI component; and
wherein, said mapping act further comprises the act of
if said at least one CUI component is determined to be the synonym for the extracted at least one RUI component, mapping the at least one extracted RUI component to the determined said at least one CUI component.

11. (Previously Presented) The method of claim 10, further comprising the act of finding at least one CUI component that satisfies a predetermined similarity measure to said at least one RUI component for a plurality of network devices.

12. (Previously Presented) The method of claim 10, further comprising the act of finding at least one CUI component that satisfies a predetermined consistency measure of the mapped at least one RUI component.

13. (Previously Presented) The method of claim 10, wherein said determining act further comprises the act of searching at least one of a thesaurus and a synonym database for a synonym of the extracted at least one RUI component that matches said at least one CUI component.

14. (Previously Presented) The method of claim 13, further comprising the act of storing said matching synonym determined from the thesaurus in the synonym database for the extracted at least one RUI component.

15. (Original) The method of claim 14 wherein said at least one thesaurus is located on a second network and said at least one network device is located on a first network.

16. (Original) The method of claim 15, wherein said second network is the Internet.

17. (Original) The method of claim 15, wherein said first network is a home network and said network device is a consumer electronic device.

18. (Original) The method of claim 1, wherein said at least a part of the CUI is determined according to a set of user preferences.

19. (Original) The method of claim 1, wherein:
said at least one network device further comprises at least one application local to the control device and said RUI further comprises at least one local user interface (LUI) to said at least

one local application.

20. (Original) The method of claim 10, wherein:
said at least one network device further comprises at least
one application local to the control device and said RUI further
comprises at least one local user interface (LUI) to said at least
one local application.

21. (Previously Presented) A method for a slave network device
to replace a remote user interface (RUI) with a consistent user
interface (CUI), comprising the acts of:

transmitting by the slave network device the RUI to a control
network device; and

replacing by the control network device at least a part of the
transmitted RUI with at least a part of the consistent CUI by the
method of claim 1.

22. (Previously Presented) A control device that provides a
consistent user interface (CUI) in a network of at least one slave
device having a remote user interface (RUI), comprising:

a transceiver for receiving the RUI;

an extraction logic module configured to extract at least one component of the RUI;

a database that is configured to store synonyms of components of an RUI; and

an analysis and transformation module configured to

- i. map the extracted at least one component of the RUI to a component of the CUI according at least one of the synonyms stored in said database and a thesauri by replacing the RUI with the at least one of the synonyms that matches the RUI,
- ii. store the mapping in a memory,
- iii. optionally update the database with the mapping, and
- iv. provide a user interface to the at least one slave device according to at least a part of the mapping of the extracted at least one component of the RUI;

wherein at least a part of the CUI that includes the at least one of the synonyms is displayed by the control device instead of the RUI as the user interface to the at least one slave device; and

wherein the CUI is more consistent with user interfaces of further slave devices so that the control device presents a user

the user interface that includes the CUI for controlling the at least one slave device and the further slave devices.

23. (Original) The control device of claim 22, further comprising:

at least one local user interface (LUI) to at least one local application;

wherein,

said extraction logic module is further configured to extract at least one component of the LUI;

said database is further configured to store synonyms of components of an LUI;

said analysis and transformation module is further configured to

v. map the extracted at least one component of the LUI to a component of the CUI according to at least one of the synonyms of components of an LUI stored in said database and a thesauri,

vi. provide a user interface to the at least one local application according to at least a part of the mapping of the extracted at least one component of the LUI.

24. (Original) The control device of claim 22, wherein said analysis and transformation module is further configured to:

- vii. accept a set of user preferences; and
- viii. provide said at least a part of the mapping in accordance with the set of user preferences.

25. (Original) The control device of claim 22, wherein the thesauri is accessed via another network.

26. (Original) The control device of claim 25, wherein the another network is the Internet.

27. (Original) The control device of claim 22, wherein the slave device is a consumer electronic device.

28. (Original) The control device of claim 27, wherein the network is a home network.

29. (Original) The control device of claim 22, wherein the

network is a home network.

30. (Previously Presented) The control device of claim 22, wherein the mapping includes determining a pre-set synonym CUI component for the extracted at least one component of the RUI, and replacing the extracted at least one component of the RUI with the pre-set synonym CUI component by the control device whenever the control device displays a user interface for controlling the at least one slave device.

31. (Previously Presented) The control device of claim 23, wherein a synonym used for the mapping is a synonym used in the LUI.

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EVIDENCE APPENDIX

None

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RELATED PROCEEDINGS APPENDIX

None